

BILL NO. S-75-12-32

SPECIAL ORDINANCE NO. S- 69-76

AN ORDINANCE electing to extend coverage of the Public Employees' Retirement Fund of Indiana to employees of the City Utilities who are active members of, or eligible for, membership in the Municipal Utilities Pension Fund, and continuing payment of MUPF entitled benefits.

WHEREAS, some employees of City Utilities of Fort Wayne, Indiana have been covered under provisions of the Municipal Utilities Pension Fund Act of 1923, and some employees under the provisions of the Public Employees' Retirement Fund Act of 1945; and

WHEREAS, the Trustees of the Municipal Utilities Pension Fund (MUPF) with the concurrence and approval of the Board of Public Works, desire to eliminate certain inequities between the Municipal Utilities Pension Fund (MUPF) and the Public Employees' Retirement Fund and improve retirement plan terms and conditions for actively employed persons presently under MUPF; and

WHEREAS, investigation has established that the Public Employees' Retirement Fund (PERF) State of Indiana, is the retirement plan most suited to the needs and circumstances of all City Utilities employees; and

WHEREAS, the Board of Public Works and City Administration deem it desirable and feasible to place all City Utilities pensions on a funded basis under the PERF Plan; and

WHEREAS, a vote has been conducted among all actively employed and retirement pensioners of MUPF according to PERF Statutes; and

WHEREAS, the "Yes" vote of 223 of 234 eligible to vote exceeded by 47 votes the 75% affirmative vote required by the PERF Statutes; and

WHEREAS, 69 persons as of November 16, 1975, were receiving retirement, survivor, or disability benefits as provided under the provisions of the Municipal Utilities Pension Fund Act; and

WHEREAS, the City attorney has advised in Legal Opinion 2200, that continued operation of the Municipal Utilities Pension Fund is not in accordance with the provision of the law (Burns 48-6601 et Seq.) which requires "the operation of an electric light plant as public utilities";

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Common Council of the City of Fort Wayne, Indiana, hereby approves the extension of coverage of the Public Employees' Retirement Fund of Indiana to those actively employed persons of the City Utilities now members, or eligible for membership, in the Municipal Utilities Pension Fund

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

heretofore excluded from PERF membership by Section 2, GENERAL ORDINANCE 2214, 1946.

SECTION 2. That prior service costs and current costs of coverage for these employees of the City Utilities to be covered by PERF shall be paid from the appropriate funds of the respective Municipal Utility.

SECTION 3. That persons entitled to receive benefits as of December 31, 1975, according to the provisions of the Municipal Utilities Pension Fund Act, shall be paid such entitled benefits from appropriate funds of the City Utilities as long as the said provisions of the Act entitle them to receive such benefits.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, for all intents and purposes, except that the extension of PERF coverage as set out in Section 1, shall begin as of January 1, 1976.


Councilman

Read the first time in full and on motion by V. Schmidt, seconded by Henga, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 12-9-75 Charles W. Hunter
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Henga, and duly adopted, placed on its passage.
Passed (LDST) by the following vote:

TOTAL VOTES	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
	<u>7</u>	<u>0</u>	<u>1</u>	<u>1</u>	
BURNS	<u>X</u>	—	—	—	—
HINGA	<u>X</u>	—	—	—	—
HUNTER	<u>X</u>	—	—	—	—
KRAUS	—	—	<u>X</u>	—	—
MOSES	—	—	—	—	—
NUCKOLS	—	—	—	<u>X</u>	—
SCHMIDT, D.	<u>X</u>	—	—	—	—
SCHMIDT, V.	<u>X</u>	—	—	—	—
STIER	<u>X</u>	—	—	—	—
TALARICO	<u>X</u>	—	—	—	—

DATE: 4-13-76 Charles W. Hunter
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution No. 469-76 on the 13th day of April, 1976.

ATTEST: (SEAL) James Stier
Charles W. Hunter CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of April, 1976, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Hunter
CITY CLERK

Approved and signed by me this 19th day of April, 1976, at the hour of 9:00 o'clock A. M., E.S.T.

Robert E. Cunningham
MAYOR

Held for 1/13

Held for Utility
Financial report report

~~Held~~

M. Horvath

Bill No. S-75-12-32

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance electing to extend coverage of the Public Employees' Retirement Fund to employees of the City Utilities who are active members of, or eligible for, membership in the Municipal Utilities Pension Fund, and continuing payment of MUPF entitled benefits.

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do PASS.

Vivian G. Schmidt - Chairman

William T. Hinga - Vice-Chairman

Winfield C. Moses, Jr.

John Nuckols

Samuel J. Talarico

Vivian G. Schmidt

John Nuckols
Samuel J. Talarico

DATE 1-13-76 CONCURRING
CHARLES VA. WESTERMAN, CITY CLERK

~~Hold until~~
~~Dec 23~~
Hold

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Vivian G. Schmidt - Chairman

William T. Hinga - Vice-Chairman

John Nuckols

Winfield C. Moses, Jr.

Paul M. Burns



City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Josèph S. Morreale - General Superintendent Date 1-8-76
City Utilities
From Charles W. Westerman - City Clerk
Subject Appearance before Common Council - January 13, 1976

COPIES TO:

RE: BILL NO. S-75-12-32

AN ORDINANCE electing to extend coverage of the Public Employees' Retirement Fund of Indiana to employees of the City Utilities who are active members of, or eligible for, membership in the Municipal Utilities Pension Fund, and continuing payment of MUPF entitled benefits.

RE: BILL NO. R-75-12-09

A RESOLUTION electing to Join the Public Employees' Retirement Fund

Your presence is requested on January 13, 1976, at 7:00 o'clock P.M., Room 128, by the members of Common Council in regard to the above bills.

It is also requested that you bring along a copy of the Utility Financial Report and any other information that you may have which will help the Council in their decision regarding the above bills.

Thank you.



City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To _____ Date 2-2-76
From Charles W. Westerman - City Clerk
Subject Department Briefing to Council Members

COPIES TO:

RE: SPECIAL MEETING

Meeting: Mr. Joseph F. Morreale - General Superintendent of
City Utilities
Time: 7:00 P.M. to 8:00 P.M.
Place: Board of Works Conference Room -- 9th Floor
Date: February 5, 1976

Please be advised this meeting will be in regard to Bill No.
S-75-12-32 and Bill No. R-75-12-09 --- Municipal Utilities Pension
Fund and continuing payment of MUPF entitled benefits ---
Resolution electing to Join the Public Employees' Retirement Fund.

Meeting: Dr. C. James Owen - Director of Community Development
and Planning
Time: 8:00 P.M. to 9:00 P.M.
Place: Board of Works Conference Room -- 9th Floor
Date: February 5, 1976

Following the meeting with Mr. Morreale, there will be a meeting
with Dr. Owen to acquaint Council with ways and means of
projects of his department.

Charles W. Westerman
City Clerk

DIGEST SHEET

TITLE OF ORDINANCE Special Ordinance

DEPARTMENT REQUESTING ORDINANCE Board of Public Works

SYNOPSIS OF ORDINANCE The City is desirous of purchasing for a mini-park or off-street parking the following: Lots 4 and 5, Barbours Subdivision of Hanna Outlot 15 (2619 South Hanna).

Said property to be purchased from George Tsiguloff for the sum of \$14,800.00

EFFECT OF PASSAGE Provide area for park or parking.

EFFECT OF NON-PASSAGE

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \$14,800.00

ASSIGNED TO COMMITTEE

Finance JM